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JW



Patent  
Attorney Docket No. 032722-593

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

MAIL STOP - AF

In re Patent Application of

Arthur Gershowitz

Application No.: 10/082,119

Filing Date: February 26, 2002

Title: RETROGRADE CANNULA PREVENTING BLOOD BACK-FLOW DURING STYLET REMOVAL

Group Art Unit: 3763

Examiner: ANH TUAN TUONG NGUYEN

Confirmation No.: 3521

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$55.00 (2814) ☐ \$110.00 (1814) fee per  
Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the  
☐ \$385.00 (2801) ☐ \$770.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered.  
Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted \_\_\_\_\_  
\_\_\_\_\_  
on \_\_\_\_\_  
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least \_\_\_\_\_,  
which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R.  
§ 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also  
enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	16	MINUS 20 =	0	x \$18.00 (1202) =	\$ 0.00
Independent Claims	3	MINUS 3 =	0	x \$86.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$290.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
<b>TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT</b>					<b>\$ 0.00</b>

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the fee due.
- ☐ Charge \_\_\_\_\_ to Deposit Account No. 02-4800.
- ☐ Charge \_\_\_\_\_ to credit card. Form PTO-2038 is attached.

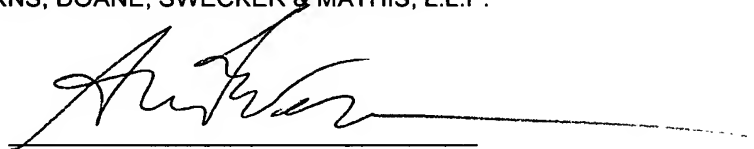
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

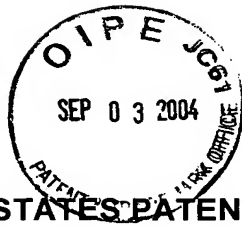
BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By

  
Alan E. Kopecki  
Registration No. 25,813

Date: September 3, 2004



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Attorney's Docket No. 032722-593

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
Arthur Gershowitz	)	Group Art Unit: 3763
Application No.: 10/082,119	)	Examiner: Anh Tuan Tuong Nguyen
Filed: February 26, 2002	)	Confirmation No.: 3521
For: RETROGRADE CANNULA	)	
PREVENTING BLOOD BACK-	)	
FLOW DURING STYLET REMOVAL	)	

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated June 29, 2004, reconsideration of the present application is requested.

It is submitted that claim 15 has been misunderstood. That claim recites that a cannula body has a lumen with two separate inlets. For example, the lumen 18C of Figs. 4A, 4B has two inlets 40 and 42. Nowhere does the Ferguson patent disclose or even remotely suggest to provide a lumen with two separate inlets. Ferguson discloses multiple lumens, but each lumen has only a single inlet.

Providing a lumen with two separate inlets enables a stylet to be introduced into the lumen 18C via the inlet 42 even while the other inlet 40 of the same lumen 18C is connected to a CPG supply line.

It is submitted that claim 15 distinguishes patentably over Ferguson for that reason alone.

In the Official action it is asserted that a stylet can be inserted into one of Ferguson's lumens and fluid introduced through another of Ferguson's lumens. But claim 15 recites inserting a stylet through an inlet of a lumen and conducting fluid through a separate inlet of that lumen. The Official action seems not to have taken that recitation into account.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: September 3, 2004

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